

From: Ackerman, Joyce
Sent: Wednesday, February 28, 2018 10:52 AM
To: Richard Dean; Thomas J. Krasovec; Dave Folkes; Jonathan H. Steeler; Tobi L. Moore; Hunter Butler; Piggott, Amelia; O'Reilly, Maureen
Subject: Neuhauser LF - need temporary closure plan

Dear Mr. Dean,

This email follows up on the Tuesday, February 13, 2018 meeting between representatives of Stratus Redtail Ranch LLC and EPA, where we discussed the administrative order on consent for removal action at the Neuhauser Landfill Site in Erie, Colorado (AOC). During that meeting, we agreed that Stratus would work with EPA to define the amount of contaminated soils requiring treatment or disposal under the AOC. It appears that the removal action work will pause while EPA and Stratus work through that process and determine next steps for soils treatment or disposal. EPA will be providing a schedule in a separate e-mail for Stratus to propose a plan for addressing contaminated soils at the Site.

Due to the unexpected pause, pursuant to paragraph 99 of the AOC, I have determined that additional removal actions not included in the Work Plan are necessary in order to protect the public health, welfare, or the environment. The necessary work includes the preparation of a temporary closure plan. This was also addressed in our meeting at the Site on February 21, 2018.

The temporary closure plan must address the open excavations, stockpiles of contaminated soils, and safe storage of rolloff bins of contaminated soils. EPA anticipates that the temporary closure plan will include applying a weather-resistant encapsulant to the stockpiles of contaminated soils and covering the open excavations with HDPE liners.

Other factors for the temporary closure plan include proper characterization and disposal of liquids in the frac tank, disposal of all remaining drums on site, decisions for the air monitoring and air sampling, provisions for site security, etc.

It is EPA's understanding that ordering certain supplies, such as HDPE liners, may take up to 1 ½ to 2 weeks for delivery, and that applying encapsulants may require the use of a hydroseeder which may have limited availability after mid-March.

Please submit this temporary closure plan no later than this Friday, March 2nd, by noon. If the temporary closure plan does not include sufficient protection of contaminated soils from weather impacts and potential exposure to trespassers, EPA will either direct Stratus to take the necessary steps and/or EPA will conduct the work using EPA contractors. Due to the potential limited availability of equipment and supplies, the temporary closure plan must be implemented as soon as possible and be completed prior to March 16th.

EPA expects that the temporary closure plan will be in effect for only two to three months. It may be necessary during that time to re-apply encapsulants and/or conduct other maintenance activities. If warmer temperatures result in air emissions from the contaminated soils in the excavations, stockpiles, and/or rolloff bins, EPA may require additional measures to secure the site and protect human health and the environment.

Please do not hesitate to contact me with any questions.

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